

JUDGE PRESKA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JIN XUE,

Defendant.

INFORMATION

07 Cr.

07 CRIM 700

COUNT ONE

The United States Attorney charges:

1. From at least in or about August 2006, up through and including on or about March 16, 2007, in the Southern District of New York and elsewhere, JIN XUE, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did traffic and attempt to traffic in goods and knowingly use a counterfeit mark on and in connection with such goods, to wit, at least approximately 48,000 pairs of shoes bearing the counterfeit trademark of "Nike," as well as clothing bearing counterfeit trademarks owned by Major League Baseball and the National Basketball Association.

(Title 18, United States Code, Sections 2320(a) and 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense of trafficking and attempting to traffic in counterfeit trademarked goods, in violation of 18 U.S.C. §§ 2320(a) and 2, alleged in

Count One of this Information, the defendant JIN XUE shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to:

a. A sum of money equal to \$10,000 in United States currency, representing the proceeds obtained as a result of the offense charged in this Information, for which the defendant and his co-conspirators are jointly and severally liable.

Substitute Asset Provision

b. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant --

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981, Title 28, United States Code, Section 2461, and Title 18, United States Code, Sections 2320(a).)

Michael J. Garcia/pm  
MICHAEL J. GARCIA  
United States Attorney

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INFORMATION

07 Cr. (LAP)

(18 U.S.C. §§ 2320(a) and 2.)

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MICHAEL J. GARCIA  
United States Attorney.

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